

OCT 28 2008

Application No.: 10/663,486

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON V

REMARKS

In response to the Notice of Allowance and the Examiner's Amendment, the following Amendment is respectfully submitted.

The above-noted revisions to paragraph [0001] of the specification, a Supplemental Application Data Sheet and a Letter to Correct Filing Receipt are respectfully submitted by Applicants to correct the priority of the present application.


Applicants would like to thank the Examiner for affording Applicants undersigned attorney the opportunity on July 29, 2008 to discuss the present application in a telephone interview. Applicants respectfully request that the Examiner enter the amendments to independent claim 6 as amended herein.

It is respectfully requested that this amendment be accepted, and that this application now be allowed to issue. If, however, for any reason this application is not considered in condition for allowance, it is respectfully requested that the Examiner telephone Applicants' attorney at (908) 654-5000 in order to overcome any further objections thereto.

Finally, if there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: October 28, 2008

Respectfully submitted,

By 
William A. Di Bianca
Registration No.: 58,653
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant